



September 27, 2005

Mr. Phil Isenberg, Chair
MLPA Blue Ribbon Task Force
1416 Ninth Street, Suite 1311
Sacramento, CA 95814

Re: Blue Ribbon Task Force consideration of RSG Provisional Goals and Objectives Package

Dear Chair Isenberg and Members of the Blue Ribbon Task Force:

On behalf of NRDC (Natural Resources Defense Council), which has over 1.2 million members and activists, more than 250,000 of whom are Californians, we would like to bring several points to your attention as you review the provisional goals and objectives package and provide guidance to the Regional Stakeholder Group (RSG). Our members support implementing the Marine Life Protection Act as a means of protecting California's special ocean places, safeguarding our rich web of ocean life, and ensuring that our children can enjoy thriving oceans. As you know well, Californians love the coast and ocean; recent polls show that 75 percent of people across all regions of the state support creating more fully protected areas off California. We greatly appreciate the BRTF's commitment to carrying out the MLPA.

The good news: the process you created through the Master Plan Framework is working. Attendance at several two-day meetings of the Central Coast Regional Stakeholder Group was high, and a working group put in many hours between those meetings on the phone or in email communication. The full range of stakeholders was deeply engaged throughout the process. People listened to each other and did an excellent job of articulating their varied concerns and priorities. Unanimous adoption of the provisional package reflects both the dedication of RSG members from all sectors and a great deal of give and take among those parties.

However, modest modifications are needed to ensure that this package represents the broader public interest. Endowed with diverse habitats and species, stunning underwater vistas, and the second largest upwelling zone in the world, California's central coast is one of the most productive ocean systems on the planet and truly a statewide and national resource. The package before you, like the Master Plan Framework, should reflect the public interest in that resource and the best available science, and be consistent with the MLPA. In our view, the relatively small changes recommended below will achieve that purpose:

Follow the staff recommendations for incorporating socio-economic considerations as a "design consideration" rather than as an objective. That approach makes sense, since socio-economic issues are cross cutting. The MLPA calls for *consideration of economic information in the*

design process, when choosing between various alternatives that meet the goals and guidelines of the Act (Section 2857 (a)). The staff recommendation for making this concern a design consideration is reasonable and consistent with the MLPA.

Under “Implementation Considerations,” Item 3 (“Ensure adequate funding...is available prior to implementing new MPAs”): delete the words. “prior to” and replace them with “for.” RSG consideration of whether to include the “prior to implementing” clause was a close vote, at 7 to 9. We encourage you to provide guidance that preserves the general agreement that funding is essential, but drops the controversial “prior to” language. California does not have adequate funds for monitoring and managing fisheries, yet it does not halt all fishing until every dollar of the desired funding is in place. The same could be said for schools, parks and other public programs. Many of our organizations can agree on and work toward the first portion of item 3, but NRDC strongly objects to making “adequate funding”—a phrase open to innumerable interpretations—a prerequisite of implementing new MPAs.

In Goal 2, Objective 2 (Protect larval sources and enhance reproductive capacity of species most likely to benefit from MPAs...) replace “enhance” with “restore.” The word “restore” suggests rehabilitating to some earlier level. The word “enhance” is often associated with efforts to improve on natural levels, and at a minimum implies an increase. MPAs can help restore former reproductive capacity, but won’t raise it to levels higher than those that occur naturally. In our view, “restore” is therefore a more appropriate and realistic term.

Under Goal 4, Objective 1 (addresses the need to include unique or rare habitats in MPAs for their intrinsic value), follow the recommendations of staff and the SAT to adopt option c, which omits habitats that are better classified as representative than unique.

Add a substantive objective under Goal 6 (To ensure that the central coast’s MPAs are designed and managed... as a component of a statewide network.) The only objectives currently in the package under Goal 6 are process objectives. There is no substantive objective aimed at ensuring network design and management in the region. An earlier draft included such an objective, but it was dropped with little discussion when an RSG member argued that the objective was covered elsewhere. Some RSGers expressed a view that the central coast is only a *component* of a network (being only a portion of a region), so network objectives do not apply.

Network design guidelines are intended to create an interconnected system of protection without giant protected areas. Such guidelines—minimum MPA size (based on the home range of adult marine species), maximum spacing (based on larval dispersal), and replication in representative habitats that are regionally distinct—apply regardless of whether one is dealing with a whole bioregion or a portion of it, a whole network or a portion of it. Each portion of a region must meet those guidelines in order to end up with a network across a whole region. We therefore suggest restoring the earlier (Aug 10 version) substantive objective under Goal 6 or a shorter version of it: “To the extent possible, effectively apply scientific guidelines in the MLPA Master Plan Framework, including those related to size and spacing of MPAs, in the overall design of the central coast MPA network component.”

Is that objective already covered? The Framework contains network guidelines, but incorporating those concepts into objectives helps define the management purposes of MPAs as well as their design. A similar objective has been included under Goal 5, but that goal deals with individual MPAs, not with network design. We urge you to incorporate the Framework guidelines into a Goal 6 objective or request Science Advisory Team advice on this question.

Reword “Implementation Considerations,” Item 2 (When appropriate, phase the implementation of central coast MPAs to ensure their effective management....)” to make clear that the purpose is to effectively manage, monitor and enforce MPAs, while using phasing as one of many tools for accomplishing that purpose. One option would be to replace the current language with “Ensure effective management, monitoring, and enforcement of central coast MPAs, using phasing if appropriate.”

Finally, we agree that the BRTF should be open to refining elements of the goals and objectives package based on what is learned in the design and implementation process (DeLapa memo transmitting goals package, Sept 21, 2005). MPAs have often been created in response to crisis, but are seldom designed methodically, beginning with goals and objectives, as they are in this process. Keeping the package provisional is a smart way to go, given the likelihood of unpredictable outcomes and the desire to manage adaptively.

We urge you to approve the Provisional Goals and Objectives with the above modifications. NRDC greatly appreciates the opportunity to comment on this important phase of the MLPA.

Sincerely,

Karen Garrison
Co-Director, NRDC Ocean Program